IN RE: PETITION FOR ADMIN. VARIANCE E/S Rockaway Beach Avenue, 290' N centerline of Regina Avenue 15th Election District 5th Councilmanic District (619 Rockaway Beach Avenue)

Anita L. & William J. Goodwin, Jr. Petitioners

- \* BEFORE THE
- \* DEPUTY ZONING COMMISSIONER
- \* OF BALTIMORE COUNTY
- \* CASE NO. 02-340-A

\* \* \* \* \* \* \* \* \* \* \* \* \* \* \* \*

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Anita L. and William J. Goodwin, Jr. The variance request is for property located at 916 Rockaway Beach Avenue in the eastern area of Baltimore County. The variance request is from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a front yard setback of 5 ft. in lieu of the required 30 ft. and from Section 400.1 of the B.C.Z.R., to permit an accessory structure (garage) with a 0 ft. setback and to be located in the side yard in lieu of the required 2.5 ft. and rear yard respectively. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts



that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

As of the date of this Order, the Department of Environmental Protection & Resource Management (DEPRM) has not completed its review of this project. Therefore, the relief granted herein is subject to the Petitioners' compliance with any recommendations made by DEPRM upon completion of their review. In addition, Petitioners must be in compliance with the requirements set forth in the Zoning Advisory Comments submitted by the Office of Planning dated March 7, 2002 pertaining to elevation drawings, a copy of which is attached hereto and made a part hereof.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 144 day of March, 2002, that a variance from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a front yard setback of 5 ft. in lieu of the required 30 ft. and from Section 400.1 of the B.C.Z.R., to permit an accessory structure (garage) with a 0 ft. setback and to be located in the side yard in lieu of the required 2.5 ft. and rear yard respectively, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

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- 2. Compliance with any recommendations, if any, made by DEPRM.
- 3. Compliance with the recommendations made by the Office of Planning in their correspondence dated March 7, 2002.
- 4. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

IMOTHY M. KOTROCO

**DEPUTY ZONING COMMISSIONER** 

FOR BALTIMORE COUNTY

TMK:raj





Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

Fax: 410-887-3468

March 14, 2002

Mr. & Mrs. William J. Goodwin, Jr. 619 Rockaway Beach Avenue Baltimore, Maryland 21221

> Re: Petition for Administrative Variance Case No. 02-340-A Property: 619 Rockaway Beach Avenue

Dear Mr. & Mrs. Goodwin:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy M. Kotroco

Deputy Zoning Commissioner

Justy 16 troco

TMK:raj Enclosure

c: Mr. Chuck Stenley 653 S. Main Street Shrewsbury, PA 17361





# CBCA Petition for Administrative Variance

### to the Zoning Commissioner of Baltimore County

619 Programs Program NW

for the property	located at 677 KUCKAWAY BEXKH AVE
	which is presently zoned $D_1/R_1-3.5$
setback of 5 ft. in lieu of the r an accessory structure (garage) with the side yerd in lieu of the respectively.  of the zoning regulations of Baltimore County, to the zoning of this petition form.	equired 30 ft., and Section 400,1 to pertial a zero ft. setback and to be located required 2.5 ft. and rear yard  law of Baltimore County, for the reasons indicated on the back
	I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
Contract Purchaser/Lessee:	Legal Owner(s):
Name - Type or Print	William J. Goodwin JR Name - Type or Print William J. Goodwin Ja
Signature	Signature J. Goodwin
Address Telephone No.	Name Type or Printy
City State Zip Code	Signature
Attorney For Petitioner:	Address Telephone No
Name - Type or Print	BACTIMORIE MD 21221 City State Zip Code
	Representative to be Contacted:
Signature	(1.11 CD0 11.11
Company	Name (717)
Address Telephone No.	653 5. MADN 57 227-269 Address Telephone No
City State Zip Code	Shrews Bury, Pa 17361 City State Zip Code
A Public Hearing having been formally demanded and/or found to be that the subject matter of the subject matte	e <b>required, it is ordered</b> by the Zoning Commissioner of Baltimore County, this petition be set for a public hearing, advertised, as required by the zoning
WOTE-SE SEMENTAL BRANCHES OF SUR	Zoning Commissioner of Baltimore County
CASE NO. 0 2 3 40 - A Re	viewed By <u>Sh</u> Date 2 //5-/0±
REV 10/25/01 Est	timated Posting Date 2/2 y/ 5 ½

# Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at	619 ROCKAWAY	BEACH	AVE
	Address BALTIMORE	mD	21221
	City	State	Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

Although the esthetic benefit that the structure will gain from this variance is without question, there is a further rationale for the necessity of this entrance. This waterfront property has undergone many internal and external retro fittings prior to the current owners taking possession. Currently, there is no ingress or egress to the main street frontage without navigating through several interior rooms. This entrance will provide casual and emergency ingress and egress with an intersecting hallway directly to the outside of the dwelling facing the street frontage.

That the Affiant(s) acknowledge(s) that if a formal demand advertising fee and may be required to provide additional info  William J. Goodwin JR.  Name - Type or Print	is filed, Affiant(s) will be required to pay a reposting and rmation.  Signature  Anita L. Coodwin  Name - Type or Print
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:  I HEREBY CERTIFY, this 12 <sup>th</sup> day of <u>FEBRUARY</u> of Maryland, in and for the County aforesaid, personally appe  WILLIAM J. GOODWIN, JR. A the Affiant(s) herein, personally known or satisfactorily identification.	
	CYNTHIA B. CLAUSEN  COMMISSION Expires NOTARY PUBLIC BALTIMORE COLUMNY MA

REV 10/25/01

COMMISSION EXPIRES DECEMBER 01, 2005

# Description

ZONDYG DESCRIPTION FOR 619 ROCK AWAY BEACH

AVE. BEGINNERYG AT A POINT ON THE EAST SIDE

of ROCKAWAY BEACH AVE. WHICH IS 40 FEET WIDE

AT THE DISTANCE OF 290 FR. NORTH OF THE

CENTER LONE OF THE NEAREST DIMPROVED DIVER SECTION G.

STREET RESINA AVE. WHICH IS 40 FEET WIDE,

BETHG LOT # 62 DV THE SUBDIVISION OF

ROCKAWAY BEACH AS RUCORDED DN BANTOMORE COUNTY

PLAT BOOK # 4, FOLID # CONTRON ONG

10, 350 SU/A. ALSO KNOWN AS RUKEMAY BEACH

AVE AND LOCATED DN THE 15TH ELECTION DISTRICT

5TH COUNCER MANTE DISTRICT.

DATE	2/15/02	ACCOUNT	R001-00	16-6	150
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OR:	Admini	· , į			
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PANAENT ACTUAL TIME
2/15/2002 2/15/2002 09:26:07
RE: WSGA CASHIER DIOL DAD BRAKER 2
>> ECEIPT N 176046
Devt 5 528 ZONING VERIFICATION
CR NO. 010115
Recot Tot 50.00
50.00 CK
Baltimore County, Karyland

**CASHIER'S VALIDATION** 

### CERTIFICATE OF POSTING

	•	
	•	Petitioner/Developer: William 1
	·	ANITA GOODWIN JZ
	,	Date of Hearing/Closing: 3/11/02
	Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	
	Attention: Ms. Gwendolyn Stephens	•
	Ladies and Gentlemen:	
	were posted conspicuously on the property l	f perjury that the necessary sign(s) required by law located at <u>G19 ROCKAWAY BEACH</u> AVE
	The sign(s) were posted on	2/24/02
*****	The sign(s) were posted on	
		2/24/02
The state of the s	The sign(s) were posted on	(Month, Day, Year) Sincerely,
and the second s	ADMINISTRATIVE AND ADMINISTRATIV	(Month, Day, Year)
unities.	ADMINISTRATIVI  ASE TO CONTROL OF THE PROPERTY	(Month, Day, Year) Sincerely,
distr.	ADMINISTRATIVE  ASS. # O.2-34G-22  ATTIMICATION THOSE TORKS	(Month, Day, Year)  Sincerely,  (Signature of Sign Poster and Date)
unite.	ADMINISTRATIVI  ASE TO CONTROL OF THE PROPERTY	(Month, Day, Year)  Sincerely,  (Signature of Sign Poster and Date)  SSG ROBERT BLACK  (Printed Name)  1508 Leslie Rd
and the second s	ADMINISTRATIVI  ASE TO CONTROL OF THE PROPERTY	(Month, Day, Year)  Sincerely,  (Signature of Sign Poster and Date)  SSG ROBERT BLACK  (Printed Name)  1508 Leslie Rd  (Address)
untr	ADMINISTRATIVI  ASE TO CONTROL OF THE PROPERTY	(Month, Day, Year)  Sincerely,  (Signature of Sign Poster and Date)  SSG ROBERT BLACK  (Printed Name)  1508 Leslie Rd  (Address)  Dundalk, Maryland 21222
The state of the s	ADMINISTRATIVI  ASE TO CONTROL OF THE PROPERTY	(Month, Day, Year)  Sincerely,  (Signature of Sign Poster and Date)  SSG MOBERT BLACK  (Printed Name)  1508 Leslie Rd  (Address)

# DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

### ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

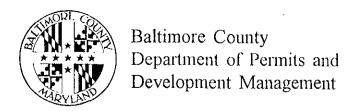
### OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

	02-340-A
Petitioner ANITA &	WILLIAM GOODWIN
	ROCKAWAY BEACH AVE
PLEASE FORWARD ADVERTI	ISING BILL TO:
PLEASE FORWARD ADVERTI Name <u>(huk</u> Address <u>653</u>	STENLEY
Name Chucic • Address 653	STENCEY SOUTH MAEN ST.
Name Chucic • Address 653	STENLEY

Revised 2/20/98 - SCJ

# ZONING REVIEW ADMINISTRATIVE VARIANCE INFORMATION SPEET AND DATES

		<u></u>					
Case	Number 02-	340	-A	Address _	619	Rockanay	Beach A
Conta	ct Person: _	Bruko Planner,	Ryda, Please Print You	ur Name		Phone Number:	410-887-3391
Filing	Date:	15/02	_ Pos	sting Date:	2/24/02	Closing Da	te: 3/11/02
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2.	a formal re-	quest for a p	ublic hearir	ng. Please u	ınderstand	or owner within 1 that even if ther e closing date.	,000 feet to file e is no formal
3.	commission order that to (typically with	er. He may: he matter be thin 7 to 10 da	a) grant t) set in for ays of the c	the requested a public hea losing date) a	relief; (b) ring. You s to wheth	by the zoning or deny the requesto will receive writ er the petition has by you by First Clas	ed relief; or (c) ten notification been granted,
4.	(whether du commission changed giv	ue to a neigh er), notificatio ring notice of t	bor's forma n will be f he hearing	al request or forwarded to date, time and	by order or you. The d location.	that must go to a of the zoning or sign on the pro As when the sigr Itered sign must b	deputy zoning perty must be was originally
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Petitio	oner: This F	art of the Fo	m is for th	e Sign Poste	r Only		•••••••••••••••••••••••••••••••••••••••
	•	USE THE A	ADMINISTR	RATIVE VARIA	ANCE SIGI	N FORMAT	
Case	Number 02-	340 -4	A Add	dress <u>619</u>	Rockau	way Beach	Aue.
Petitio	ner's Name	William 91	Inita Go	oodwin, Jr.	1	elephone <u>40</u>	-391-7595
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						structure (g	
						and to be loca	
side	yard i	h liru ol	the r	equited o	2.5 Ct. a	and rear yard	respectively



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

March 11, 2002

Mr. & Mrs. William J Goodwin Jr 619 Rockaway Beach Avenue Baltimore MD 21221

Dear Mr. & Mrs. Goodwin:

RE: Case Number: 02-340-A, 619 Rockaway Beach Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 15, 2002.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Ruchard, Jr.

W. Carl Richards, Jr. 602 Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Chuck Stenley, 653 S Main Street, Shrewsbury PA 17361 People's Counsel

#### BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

**DATE:** April 1, 2002

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

for March 4, 2002

Item Nos. 317, 331, 332, 334, 335, 336, 337, 338, 340, 341, 342, 343, 345, 348 and 349

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:cab

cc: File



Office of the Fire Marshal 700 East Joppa Road Towson, Maryland 21286-5500 410-887-4880

February 28, 2002

Department of Permits and Development Management (PDM) County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204

ATTENTION: George Zahner

Property Owner: See Below

Location: DISTRIBUTION MEETING OF March 4, 2002

Item No.: See Below

Dear Ms. Stephens:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

The Fire Marshal's Office has no comments regarding the following item #'s.

331, 334, 335, 337, 339, (340,) 341, 342, 343, 345, 346, 347, 348, 349,

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office

PHONE 887-4881, MS-1102F

cc: File

### BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Arnold Jablon

FROM:

R. Bruce Seeley RETURN

DATE:

March 27, 2002

Zoning Advisory Committee Meeting of March 4, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

317, 331, 332, 336-338, 340-342, 345, 346, 348, 349

Still waiting on Agriculture Preservation Comments for 334, 335, 339.

# BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Arnold Jablon

FROM:

R. Bruce Seeley

DATE:

April 1, 2002

Zoning Advisory Committee Meeting of March 4, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

317, 331, 332, 336-338, 340-342, 345, 346, 348, 349

No AG Comments for 334, 335, 339.

## BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:	Arnold Jablon			
FROM;	R. Bruce Seeley & BS \400			
DATE:	March 27, 2002			
SUBJECT:	Zoning Item 340 Address 619 Rock	away Beach Ave		
Zoning	g Advisory Committee Mo	eeting of March 4, 20	002	
	epartment of Environment ents on the above-reference		esource	Management has no
an exte	epartment of Environment ension for the review of the to which environmental re	e above-referenced :	zoning	item to determine the
	epartment of Environment lowing comments on the a			
	Development of the prop Protection of Water Qua 14-331 through 14-350 c	ity, Streams, Wetlar	nds and	Floodplains (Sections
<del>.,</del>	Development of this prop Conservation Regulation Baltimore County Code)	s (Section 14-401 th		
_X_	Development of this properties of the Baltimore	s (Sections 26-436 tl		
	Additional Comments:			
Review	ver: Keith Kelley		Date:	March 27, 2002

### BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

**DATE:** March 7, 2002

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

**SUBJECT:** 

619 Rockaway Beach Avenue

**INFORMATION:** 

Item Number:

02-340

Petitioner:

William J. Goodwin, Jr.

Zoning:

**DR 3.5** 

Requested Action:

Variance

Cary L. Kerns

#### **SUMMARY OF RECOMMENDATIONS:**

The Office of Planning supports the petitioner's request to permit a front yard setback of 5 feet in lieu of the required 30 feet, and to permit an accessory structure with a zero foot setback in lieu of the required 2.5 feet, and to be located in front yard in lieu of the required rear yard.

Elevation drawings of all new additions should be submitted to the Office of Planning for review and approval prior to the issuance of any building permits.

Prepared by:

Section Chief:

AFK/LL:MAC:



Parris N. Glendening Governor John D. Porcari Secretary Parker F. Williams Administrator

3.1.02 Date:

Mr. George Zahner Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204

RE: **Baltimore County** 

Item No. 340

Dear. Mr. Zahner:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

1. f. Dredh

/ Kenneth A. McDonald Jr., Chief Engineering Access Permits Division

RE: PETITION FOR VARIANCE 619 Rockaway Beach Avenue, E/S Rockaway Beach Ave, 290' N of c/l Regina Ave 15th Election District, 5th Councilmanic

Legal Owner: William J. & Anita L. Goodwin, Jr. Petitioner(s)

- BEFORE THE
- \* ZONING COMMISSIONER
- \* FOR
- \* BALTIMORE COUNTY
- \* Case No. 02-340-A

#### ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

CAROLE S. DEMILIO Deputy People's Counsel Old Courthouse, Room 47

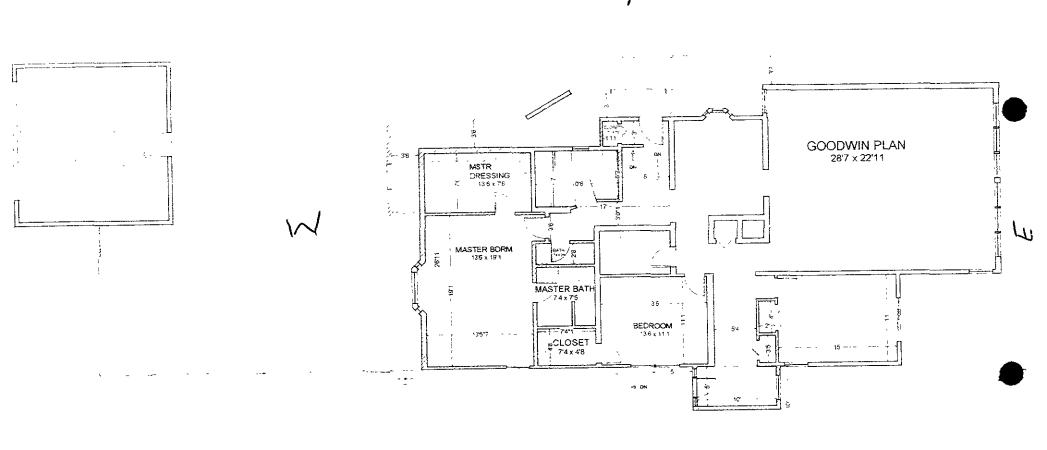
400 Washington Avenue Towson, MD 21204

(410) 887-2188

#### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 6<sup>th</sup> day of March, 2002 a copy of the foregoing Entry of Appearance was mailed to William J. & Anita L. Goodwin, Jr., 614 Rockaway Beach Avenue, Baltimore, MD 21221, Petitioners, and to Chuck Stenley, 653 S. Main Street, Shrewsbury, PA 17361, representative for Petitioners.

PETER MAX ZIMMERMAN



945 th

	SPECIAL HEARING OR ADDITIONAL REQUIRED INFORMATION
SUBDIVISION NAME TURKEY FOINT FARM  PLAT BOOK # 4 FOLIO # 171 LOT # GQ SECTION # —  OWNER William J. Goodwin for and Anita L. Goodwin  Tax ID 15 08 303862	Turkey Pt  Book Sure Parkey Pt  Turkey Pt  Torkey Pt  Torkey Pt  Sold Sure Sure Creek Scott Sure Sure Sure Sure Sure Sure Sure Sure
ROCKOWAY  ROCKOW	VICINITY MAP  SCALE: 1" = 1000'  LOCATION INFORMATION  ELECTION DISTRICT 15+4  COUNCILMANIC DISTRICT 5+4  I"=200' SCALE MAP # SEI-K  ZONING D.R3.5  LOT SIZE 10,350  ACREAGE SQUARE FEET  PUBLIC PRIVATE  SEWER X
TEXISTING  TOX I) 1525 150000  OWELLING TOX I) 1525 150000  CHARLOTTE KNOLL	WATER YES NO CHESAPEAKE BAY CRITICAL AREA  100 YEAR FLOOD PLAIN— HISTORIC PROPERTY/ BUILDING PRIOR ZONING HEARING  ZONING OFFICE USE ONLY
PREPARED BY Chuck STEVLEY SCALE OF DRAWING: 1" = 50"	BN 340 02-340-A

